

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen  
United States Courthouse  
Room 2722 - 219 S. Dearborn Street  
Chicago, Illinois 60604



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ORDER

August 13, 2021

*Before*

MICHAEL S. KANNE, *Circuit Judge*

DIANE P. WOOD, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge*

No. 21-2449	PROTECT OUR PARKS, INC., et al., Plaintiffs - Appellants  v.  PETE BUTTIGIEG, Secretary of the U.S. Department of Transportation, et al., Defendants - Appellees
<b>Originating Case Information:</b>	
District Court No: 1:21-cv-02006 Northern District of Illinois, Eastern Division District Judge John Robert Blakey	

The following are before the court:

1. **PLAINTIFFS-APPELLANTS' EMERGENCY MOTION FOR STAY PENDING APPEAL OF DENIAL OF PRELIMINARY INJUNCTION, AND TO EXPEDITE THE APPEAL**, filed on August 10, 2021, by counsel for the appellants.
2. **SUPPLEMENTAL DECLARATION OF MICHAEL RACHLIS IN SUPPORT OF PLAINTIFFS-APPELLANTS' MOTION TO STAY PENDING APPEAL**, filed on August 12, 2021, by counsel for the appellants.
3. **MOTION BY THE CIVIC COMMITTEE OF THE COMMERCIAL CLUB OF CHICAGO, THE CHICAGO URBAN LEAGUE, AND THE CHICAGO COMMUNITY TRUST FOR LEAVE TO FILE AMICI CURIAE BRIEF IN**

**OPPOSITION TO PLAINTIFFS-APPELLANTS' EMERGENCY MOTION FOR A STAY PENDING APPEAL OF DENIAL OF PRELIMINARY INJUNCTION, AND TO EXPEDITE THE APPEAL**, filed on August 13, 2021, by counsel for the amici curiae the Civic Committee of the Commercial Club of Chicago, the Chicago Urban League, and the Chicago Community Trust.

4. **SUPPLEMENTAL DECLARATION OF MICHAEL RACHLIS IN SUPPORT OF PLAINTIFFS-APPELLANTS' MOTION TO STAY PENDING APPEAL**, filed on August 13, 2021, by counsel for the appellants.
5. **MOTION OF THE UNIVERSITY OF CHICAGO FOR LEAVE TO FILE AMICUS CURIAE BRIEF IN OPPOSITION TO PLAINTIFFS' MOTION FOR A STAY PENDING APPEAL OF DENIAL OF MOTION FOR PRELIMINARY INJUNCTION**, filed on August 13, 2021, by counsel for the amicus curiae the University of Chicago.
6. **FEDERAL DEFENDANTS-APPELLEES' OPPOSITION TO EMERGENCY MOTION FOR INJUNCTION PENDING APPEAL AND TO EXPEDITE THE APPEAL**, filed on August 13, 2021, by counsel for the federal appellees.
7. **BRIEF OF CHICAGOLAND MUSEUMS AS AMICI CURIAE IN SUPPORT OF DEFENDANTS-APPELLEES AND AFFIRMANCE AND IN OPPOSITION TO PLAINTIFFS-APPELLANTS' EMERGENCY MOTION FOR A STAY PENDING APPEAL OF DENIAL OF PRELIMINARY INJUNCTION AND IN OPPOSITION TO PLAINTIFFS' APPEAL OF DENIAL OF ORDER FOR PRELIMINARY INJUNCTION**, filed on August 13, 2021, by counsel for the amici curiae Chicagoland Museums.
8. **RESPONSE OF CITY OF CHICAGO, CHICAGO PARK DISTRICT, AND THE BARACK OBAMA FOUNDATION IN OPPOSITON TO EMERGENCY MOTION FOR A STAY PENDING APPEAL**, filed on August 13, 2021, by counsel for the City of Chicago, Chicago Park District and The Barack Obama Foundation.
9. **BRIEF OF COMMUNITY REPRESENTATIVES AS AMICI CURIAE IN SUPPORT OF DEFENDANTS-APPELLEES AND IN OPPOSITION TO PLAINTIFFS-APPELLANTS' EMERGENCY MOTION FOR A STAY PENDING APPEAL OF DENIAL OF PRELIMINARY INJUNCTION**, filed on August 13, 2021, by counsel for the amici curiae community representatives.
10. **MOTION FOR LEAVE TO FILE INSTANTER AMENDED RESPONSE OF CITY OF CHICAGO, CHICAGO PARK DISTRICT, AND THE BARACK OBAMA FOUNDATION IN OPPOSITION TO EMERGENCY MOTION FOR**

**STAY PENDING APPEAL**, filed on August 13, 2021, by counsel for the City of Chicago, Chicago Park District and The Barack Obama Foundation.

**IT IS ORDERED** that the submitted briefs of amici curiae are construed as motions for leave to file responses as amicus curiae to the motion for an injunction pending appeal. The motion to file an amended response and motions to file responses as amici curiae are **GRANTED** to the extent that the court considered the amended response and submissions of amici curiae.

**IT IS FURTHER ORDERED** that the motion for an injunction pending appeal is **DENIED**. The court will issue an explanation for its decision and a briefing schedule in a later order.